

Mark S. Presnall
P.O. Box 4
Mt. Meigs, AL 36057
(334) 270-8791

February 11, 2010

Delphi Corporation, et al
C/O Kurtzman Carson Consultants LLC
2335 Alaska Ave.
El Segundo, CA 90245

Dear Gentlemen:

I am writing in response to your letter advising that the Court was attempting to reach a decision releasing certain type of claims toward Delphi and that if I objected that I should express my claims in written form.

I am not an attorney, but I dispute my claim being released, as I timely filed a lawsuit against Delphi and said lawsuit was pending at the time of filing for relief by Delphi. My objection is that Delphi is believed to have had liability insurance in effect at the time of my injury due to defects in their product and that any claims I have would be due to be paid from the insurance company(s) limited only to the policy limitations. By dismissing my claims you are releasing the insurance company from their liability to Delphi and/or to me. The insurance company is not a party that is due to be granted relief in this matter under the current pleading. By releasing this claim the Court would be unjustly releasing the insurance company and thereby unjustly enriching them. In addition, I would be damaged by the failure of them to pay for my injuries and/or damages if a jury of my peers find Delphi to have been liable.

I have enclosed a copy of my complaint for your review and all I am asking is that I be allowed to move forward in this matter limited to insurance policy benefits-limits only. If you have any questions or would like to schedule an interview, or if you need more information, please call me at (334) 270-8791 or write to me at the above address.

Thank you for your consideration and help in this matter.

Sincerely,

Mark Presnall
Enclosure

FILED
U.S. BANKRUPTCY COURT
2010 MAR -3 P 12:50
S.D.N.Y.

United States Bankruptcy Court Pg 2 of 4

Southern District of New York

Delphi Corporation et al. Claims Processing
c/o Kurtzman Carson Consultants LLC, 2335 Alaska Avenue
El Segundo, California 90245

Expense Claim Form

Debtor against which claim is asserted :

Delphi Corporation, et al. 05-44481

Case Name and Number

In re Delphi Corporation, et al. 05-44481

Chapter 11, Jointly Administered

NOTE: This form should not be used to make a claim in connection with a request for payment for goods or services provided to the Debtors prior to the commencement of the case. This Administrative Expense Claim Form is to be used solely in connection with a request for payment of an administrative expense arising after commencement of the case but prior to June 1, 2009, pursuant to 11 U.S.C. § 503.

Name of Creditor

(The person or other entity to whom the debtor owes money or property)

Mark S. Presnall

Name and Address Where Notices Should be Sent

P.O. Box 33

Mt. Meigs, AL 36057

Telephone No.

204-207-4964

☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

☒ Check box if you have never received any notices from the bankruptcy court in this case.

☒ Check box if the address differs from the address on the envelope sent to you by the court.

THIS SPACE IS FOR
COURT USE ONLY

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR:

CV-2008-700105

Check here if this claim ☐ replaces☒ amends a previously filed claim, dated: 10/10/08

1. BASIS FOR CLAIM

- ☐ Goods sold
☐ Services performed
☐ Money loaned
☒ Personal injury/wrongful death
☐ Taxes
☐ Other (Describe briefly)

☐ Retiree benefits as defined in 11 U.S.C. § 1114(a)
☐ Wages, salaries, and compensation (Fill out below)

Your social security number _____

Unpaid compensation for services performed

from _____ to _____ (date) (date)

Battery Blew up in Face

2. DATE DEBT WAS INCURRED

Mar 9, 2004

3. IF COURT JUDGMENT, DATE OBTAINED:

4. TOTAL AMOUNT OF ADMINISTRATIVE CLAIM: \$ 500,479.95

☒ Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all additional charges.

5. Brief Description of Claim (attach any additional information):

Car would not crank, I raised hood to check status. I had car turn key to start car. The battery exploded in my face. I was in the car when it happened. I am still under medical treatment and I am still under medical care.

6. CREDITS AND SETOFFS: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. In filing this claim, claimant has deducted all amounts that claimant owes to debtor.

7. SUPPORTING DOCUMENTS: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, or evidence of security interests. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary. Any attachment must be 8-1/2" by 11".

8. DATE-STAMPED COPY: To receive an acknowledgement of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

Date

July 9, 2009

Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any)

Mark S. Presnall
Mark S. Presnall

THIS SPACE IS FOR
COURT USE ONLY

The Law Offices of Philip G. Perkins

601 College Avenue
Jackson, AL 36545

(251) 246-4279
FAX (251) 246-3008

March 5, 2009

Mr. Mark S. Presnall
750 Sprott Drive
Montgomery, AL 36117

334-207-4964


STATEMENT FOR PROFESSIONAL SERVICES RENDERED

Re: Presnall vs. Delphi Corporation, et al.
Clarke County Circuit Court Case No. CV-2008-900105

Reimbursement of Court Costs ----- \$479.95

**Please make your check payable to:
The Law Offices of Philip G. Perkins**

Claim Filed in State for \$ 500, 479.95

PRESNALL TRUCKING CO 63-1269717		2032
MARK STEPHEN PRESNALL		
ROXANNE PRESNALL		
168 SATURN DR PH 251-275-4941		61-359/621
GROVE HILL, AL 36451		
DATE _____		
PAY TO THE ORDER OF _____ \$ _____		
		DOLLARS  Security Features Details on Back
First United Security Bank		
Executive Office in Thomasville, Alabama Thomasville, Alabama 36784		
www.firstusbank.com		
FOR _____		
⑈002032⑈ ⑆062103592⑆ 01 816 06⑈		

I am Mark Presnall. I have lost my trucking company. Above is a copy of my defaulted business.

In 2004, in a nice day in June, an AC Delco battery which was under warranty, blew up in my eyes and my face. By the end of '04, a tumor appeared in the right side of my throat. In '05, we were treating it with antibiotics. By Christmas of that year, I was diagnosed with cancer, a rare form of skin cancer in my tonsils. In '06, I began chemo and radiation. By mid '06, I began my surgeries.

I have lived in Clark County, not at the address you have been sending information to. I am without council, but I do possess the battery as well as the car it happened in. I am now single with a six year old child and a fifteen year old young man. I am currently on SSI disability. I am having to raise my children on \$1100 a month. My trucking company was grossing over \$100,000 a year with one truck. I am pleading for someone to take interest in this case. Mark Presnall